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## INTERNATIONAL LABOR STANDARDS AND THEIR POSSIBLE ENFORCEMENT IN THE UNITED STATES

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THE announcement of the adoption by the Peace Conference in Paris of the proposed treaty or international convention recommended by the Commission on International Labor Legislation, leads naturally to a consideration of the objects and purposes of the various conventions or conferences of representatives of employers and workers which recently have been held in Europe and America, as bearing upon the probable direction to be given by the International Labor Convention.

### *British National Industrial Conference*

The National Industrial Conference, called by the British Government and held at Westminster on February 27, 1919, embraced a very large number of representatives of organizations of employers and workmen, besides several members of the British cabinet. It was characterized by extraordinarily frank expressions of opinion from all parties concerned. Reference was made in the course of the discussion to the fact that already, through the mechanism of the Ministry of Labor, twenty-six industrial councils had come into existence, and twenty-four more were on the way; that these would cover two and one-half millions of workers, the purpose of these councils being to adjust questions of dispute between employer and employee. As was natural, a great deal of the discussion turned upon the existing condition of unrest in England which has followed upon the demobilization of the millions of men who were engaged in the military service during the war. The most candid expression of the opinions and aims of a large body of workers, was given by Mr. J. H. Thomas, the Chairman of the National Union of Railwaymen —a body which embraces, I believe, more than half a million workers. Mr. Thomas said:

The organized workers of Great Britain have made up their minds to procure for themselves an increasing share of the wealth which their labor has produced and produces. The workers, and I speak more especially for the members of our threefold organization, are determined to shorten materially the hours of labor in their respective industries. They are dissatisfied with the system of society which treats their labor power as a mere commodity to be bought, sold and used as though they were machine-like units in the process of wealth production, and they therefore demand that they shall become real partners in industry, jointly sharing in the determination of working conditions and of management. Labor becomes increasingly alive to its sovereign power, and will shirk no responsibility, but equally it will be denied none of its rights and its privileges. The miners, railwaymen, and transport workers stand unalterably for ownership by the State of the mines, railways, and the means of inland and coastal transport. This is essential in the interests of the general community, as well as of the increased efficiency of these three national industries.

Mr. Thomas also referred to the fact that as a result of the war, the workers had resolutely set their faces toward some order of society which would improve their lives and conditions in accord with the new valuation they set upon themselves. He said,

No longer are they prepared to content themselves with every wage advance being thrust upon the consumer, and, consequently, of canceling every improvement instantly and automatically. Rents, interest and profits are not inviolate. Statesmen of every party must make up their minds that there is going to be a drastic change. Wise men will allow and provide for it.

The meeting resulted in the adoption of a resolution providing for the appointment of a joint committee, consisting of equal numbers of employers and workers, men and women, together with a chairman appointed by the government, to consider and report to the Conference at a later day, on the causes of the present unrest, and the steps necessary to safeguard and promote the best interests of employers, work people and the state, and especially to consider :

1. Questions relating to hours, wages and general conditions of employment;
2. Unemployment and its prevention;
3. The best methods of promoting cooperation between capital and labor.

*Report of Joint Committee, April 4, 1919*

A very representative committee was appointed, consisting of thirty representatives of employers and an equal number of representatives of the trades-unions. This committee reported back to the Conference on April 4th. The trades-unions' representatives submitted to this committee a comprehensive memorandum, setting out causes of the existing discontent of the workers and suggesting remedies, which is printed in full as an appendix to its report. Many of the subjects discussed in the memorandum were beyond the scope of the consideration which the committee deemed itself able to undertake as a preliminary to its report. Some of these matters undoubtedly will be brought forward for the consideration of the National Industrial Council, instituted in conformity with the recommendations of the committee. The memorandum sets forth that

with increasing vehemence labor is challenging the whole structure of capitalist industry as it now exists. It is no longer willing to acquiesce in a system under which industry is conducted for the benefit of the few. It demands a system of industrial control which shall be truly democratic in character. This is seen on the one hand in the demand for public ownership of vital industries and services and public control of services not nationalized which threaten the public with the danger of monopoly or exploitation. It is also seen in the increasing demand of the workers in all industries for a real share in industrial control. . . .

The memorandum specifies the more important and especial causes of industrial unrest. It dwells upon the high prices prevailing for commodities of common consumption; the universal opinion among the working classes that profiteering had taken place during the war on an unprecedented scale. It attacks the government for selling national ships, ship-yards and factories, instead of utilizing them for the employment of labor in large quantity; refers to the extent of unemployment, and the inadequacy of unemployment allowances paid by the government; the effect of the termination of hostilities in causing a sudden reduction in earnings, although not in wage rates, of huge masses of workers, without any corresponding decrease in the cost of living. Complaint is made that hours of labor have not been reduced, although "the workers are now urgently demanding a higher standard of leisure, to be

achieved by a reduction in working hours and the abolition of systematic overtime." It points out the great need of better housing conditions for workers, which can only be supplied by the government; demands recognition of trades-unionism of government employees, including the police and complains of the lack of representative machinery capable of giving constant expression to the co-ordinate demands of the whole of the workers.

The memorandum presents a program of remedies for unrest, the first item of which is a demand that

a substantial beginning must be made of instituting public ownership of the vital industries and services in this country. Mines and the supply of coal, railways, docks, and other means of transportation, the supply of electric power, and shipping, at least so far as ocean-going services are concerned, should be at once nationalized.

It is claimed that

Private profit should be entirely eliminated from the manufacture of armaments, and the amount of nationalization necessary to secure this should be introduced into the engineering, shipbuilding, and kindred industries.

There should be a great extension of municipal ownership, and ownership by other local authorities, and co-operative control of those services which are concerned primarily with the supplying of local needs.

Key industries and services should at once be publicly owned.

This extension of public ownership over vital industries should be accompanied by the granting to the organized workers of the greatest practicable amount of control over the conditions and the management of the various industries.

Concerning those industries which cannot at once be publicly owned, the memorandum urges the retention of state control, and particularly that wherever state assistance is granted in the re-establishment of industries upon a profit-making basis, there should be correspondingly strict state control. In view of the enormous burden of debt which has accumulated as a result of the war and of the methods adopted in financing the war by loans rather than by direct taxation, it is urged that steps at once be taken to remove a considerable part of this burden by a graduated levy on capital, from which property of \$5,000 and less in value should be exempted. The memorandum also deals with the question of unemployment, urging the creation of a complete and comprehensive system of

unemployment wages and greater security on the part of the worker, including a provision that

the worker who is threatened with arbitrary dismissal should, in all cases, have a prior right of appeal to his fellow workers, and wherever dismissal takes place on grounds other than those of demonstrated misconduct, the worker who is dismissed should be entitled to a payment proportionate to his period of service with the firm.

As to wages, the establishment of a resonable minimum wage for every worker is demanded, as well as the principle of equal pay for men and women and a system of regulating wages. A reduction of hours of labor to a maximum of eight in any one day and forty-four in one week, is insisted upon with provisions for the prohibition of all systematic overtime, and the payment of all necessary overtime at special rates; special rates of pay applying also to night work, Sunday and holiday work; night work to be abolished absolutely for women and children and, wherever possible, for all workers. The memorandum recommends that steps immediately be taken for the international regulation of the hours of labor and for the inclusion of a universal maximum in the terms of the International Charter of Labor. In closing, the memorandum sets forth that:

the fundamental causes of labor unrest are to be found rather in the growing determination of labor to challenge the whole existing structure of capitalist industry than in any of the more special and smaller grievances which come to the surface at any particular time.

These root causes are twofold—the breakdown of the existing capitalist system of industrial organization, in the sense that the mass of the working class is now firmly convinced that production for private profit is not an equitable basis on which to build, and that a vast extension of public ownership and democratic control of industry is urgently necessary.

It is essential to question the whole basis on which our industry has been conducted in the past and to endeavor to find, in substitution for the motive of private gain, some other motive which will serve better as the foundation of a democratic system. . . . The motive of public service should be the dominant motive throughout the whole industrial system, and the problem in industry at the present day is that of bringing home to every person engaged in industry the feeling that he is the servant, not of any particular class or person, but of the community as a whole. This cannot be done so long as industry continues to be conducted for private profit, and the widest possible extension of public ownership and democratic control of industry is therefore the first necessary condition of the removal of industrial unrest.

The conclusion of this argument would seem to be a *non sequitur*, and it might be remarked in passing that the public is hardly well served by the abrupt abandonment *en masse* of all service in transportation or communication or other work affecting the public, merely as a means of compelling compliance with demands for changed conditions of labor which are susceptible of determination by arbitration.

*Report of Conference Committee*

The Conference Committee considered only a part of these demands. Its report dealt especially with the question of maximum hours, minimum wages, methods of dealing with war advances, recognition of and negotiation between organizations of employers and workpeople, unemployment and the institution of a National Industrial Council. It recommended the principle of a legal maximum of forty-eight hours per week for all employed persons, varying in special cases. As to wages, the committee agreed that minimum time rates should be established by legal enactment of universal applicability, regulated by a commission and a court of arbitration.

The provisions concerning unemployment dealt largely with conditions resulting from the war, which here may be regarded as largely temporary and local in character, and, therefore, as not having a general international interest.

A comprehensive housing program to meet the acknowledged shortage of houses was recommended to the government, as also state development of new industries, such as afforestation, reclamation of waste lands, development of inland waterways, and in agricultural districts, the development of light railways and road transport.

A wider application of the normal governmental provisions for maintenance during unemployment, and provisions enabling workers, whilst unemployed, to get access, without payment of fees, to opportunities for continuing their education, and improving their qualifications, were also advocated. To secure the largest possible measure of joint action between the representative organizations of employers and workpeople, and to be the normal channel, through which the opinion and experience of industry would be sought by the government on all questions affecting industry as a whole, the committee re-

commended the establishment without delay of a permanent representative national industrial council.

#### *National Industrial Council*

Among the specific objects of such a council would be the consideration of general questions affecting industrial relations, of measures to anticipate and avoid threatened disputes, of actual disputes involving general questions, of legislative proposals affecting industrial relations, of advice to the government on industrial questions and on the general industrial situation and the issuance of statements for the guidance of public opinion on industrial issues. The Council, of which the Minister of Labor is to be President, is to consist of four hundred members, one-half to be elected by the employers' organizations and one-half by the trades-unions. There is to be a Standing Committee of the Council, consisting of twenty-five members elected by the employers' representatives on the Council, and twenty-five by the trades-unions' representatives; which Committee is to be empowered to take such action as it deems necessary to carry out the objects of the Council, and to consider any questions referred to it by the Council or the government, reporting its decision to the Council. It shall meet at least twice a year, and in addition, as often as the Standing Committee shall deem necessary. Great hopes are placed upon this Council as furnishing a practical method of settling questions between employers and their employees which might otherwise result in serious disputes and disorder.

#### *France C. G. T. Program November, 1918*

In France, the General Confederation of Labor (C. G. T.) the official representative of organized labor in that country, in November, 1918, met and formulated a minimum program of labor reform to be submitted to such a commission on labor as might be constituted by the Peace Conference. The program embodied a demand of syndical rights for workers, including government employees; the right of sailors to leave ships in port; revision of the Maritime Code; the right of labor unions to intervene in labor questions; the standardization of wages in each industry, through collective agreements and under the administration of labor organizations; an eight-

hour day; the prohibition of night work for women and children under eighteen; and compulsory education up to fourteen years of age.

As a protection against the high cost of living, the abolition of duties on food, coal and lighting material was advocated, and the establishment of a national communal food administration, composed of representatives of labor and consumers, which should have power to purchase and sell its products without profit; and the levying of a tax on incomes, war profits and inheritances to reduce the national debt.

*Government Control and Regulation, not Ownership*

The Confederation laid great stress upon the intervention of government in reaching a solution to the problems with which it was concerned; not government ownership; but governmental control and regulation of privately conducted enterprise. The program declared that:

The Confederation believes that nothing necessary to personal, family or national life should be turned over to private interests unless collective control forces them to direct their efforts in accord with the general interest. This control, exercised in the name of the state for the producers and consumers and chiefly by their delegates, should be sufficiently powerful to maintain continuous control of production, or prices, of technical development, of conditions of labor, wages and insurance, as well as of the distribution of profits exceeding normal interest or limited dividends.

Thus established [it continued] this control will assure the functioning of the association of industry and state in enterprises whose dispersion will still permit the play of initiative and free competition.

The establishment of a National Economic Council was recommended, aided by regional councils, in which the labor organizations shall have direct representatives responsible to them:

the management of unemployment funds; the reconstruction of the invaded regions by new collective organisms endowed with civil and administrative power by qualified representatives of the producers and consumers; the rebuilding of the cities, communes and factories in accordance with principles of hygiene, of health, and of beauty.

It declares that economic reorganization should have as its basis the uninterrupted development of the national industrial equipment and the unlimited diffusion of general and technical knowledge, and for this purpose

to permit the use of all talent, to seek the utilization of all material resources and the application of all inventions and discoveries; to stimulate private initiative; to prevent all voluntary restriction of production and all surplus or producers, the consequences of which harm production itself.

It is perhaps natural that in England stress should be laid upon nationalization of industry as a means of realizing the aims of the workers. The condition of the workers in many industries in Great Britain, with respect to housing, hours and conditions of labor and wages, has, it is well known, been much less favorable than that of men and women similarly employed in France, Germany or America. During the war, the cooperation or control of the government over employers led to far better conditions for the workers than previously had been enjoyed. They declare themselves determined never to return to the pre-war conditions, and they look to their government to protect them in that resolve. But one of their own leaders (J. R. Clynes, M. P.) suggested to the Conference that no wealth could be created without work; no government by the wave of a wand can settle the housing problem. The Prime Minister also sounded a note of warning concerning the demands upon the national treasury involved in the outline of the workers' desires. "It is always assumed," he said, "that the treasury is inexhaustible, and that this money 'droppeth like the gentle rain from heaven, blessing him who gives and him who takes,' especially him who *takes*, and that you gather the taxes, like the manna, every morning." Still, the brunt of the English hope for improved labor conditions rests upon government aid. The strong individualism in the French character found expression in the recommendations of the C. G. T. above quoted. The play of initiative and free competition is still in the eyes of the French workman the supreme end to be maintained.

#### *Conference of American Federation of Labor*

In the meantime, in June, 1918, the Conference of the American Federation of Labor, held at St. Paul, Minnesota, had appointed a Committee on Reconstruction, which prepared a program which was endorsed by the Executive Council of the Federation and submitted to the United States Senate. This program is very full and complete and should be read in its entirety. It advocates many principles which must com-

mand the support of all thoughtful citizens. As is natural, it lays great stress upon the value of trade-union organization and opposes any interference with its complete control of industry. It regards low consumption as the primary cause of unemployment and advocates increased wages as a means of terminating unemployment and leading to increased consumption. It finds the principle of providing employment for idle workmen on public work as an expedient at best, and one which will not permanently remove the cause of unemployment. It contends for increase in wages, reduction in hours of labor and protection against child labor. It advocates cooperation between producers, as securing higher prices for their products, and yet placing these in the consumers' hands at lower prices than they would otherwise command, upon the theory that the middleman and his profit thereby will be eliminated. It yields to the *ignis fatuus* of government ownership and operation, declaring that "public and semi-public utilities should be owned, operated or regulated by the government in the interest of the public," including all wharves and docks connected with public harbors among those utilities and also advocates the development of the American merchant marine under government control; recommends the future enactment of legislation providing that the governments, federal and state, should own, develop and operate all water-power over which they have jurisdiction, supplying the power thus generated to all citizens at rates based upon cost. It advocates, through graduated taxation, measures preventing large tracts of useable land from falling into private ownership and enactments whereby tenant farmers or others may "purchase land upon the lowest rate of interest and most favorable terms consistent with safety, and so safeguarded by governmental supervision and regulation as to give the fullest and freest opportunity for the development of land-owning agriculturists".

Closer control over corporate organization and activity is urged and the restriction of immigration, so that its flow shall at no time exceed the nation's ability to assimilate and Americanize the foreigners coming to our shores, nor permit it at any time when there exists an abnormal degree of unemployment. Better housing of workers is to be attained through a governmental system of building model homes,

under a system of purchase by which the workers may borrow money at the lowest rate of interest and under favorable terms to build their own homes.

Perhaps the most conservative recommendation is that concerning taxation, reading as follows:

One of the Nation's most valuable assets is the initiative, energetic, constructive and inventive genius of its people. These qualities when properly applied should be fostered and protected instead of being hampered by legislation, for they constitute an invaluable element of progress and material development. Taxation should, therefore, rest as lightly as possible upon constructive enterprise. Taxation should provide for full contribution from wealth by a tax upon profits which will not discourage industrial or commercial enterprise. There should be provided a progressive increase in taxes upon incomes, inheritances, and upon land values of such a nature as to render it unprofitable to hold land without putting it to use, to afford a transition to greater economic equality and to supply means of liquidating the national indebtedness growing out of the war.

The need of education for all the people is declared, and large standing armies, or the use of militia during industrial disputes, while the courts are open and the civil authorities competent to maintain the supremacy of the civil law, is opposed.

A provision which is greatly to be regretted is that respecting "the people's final voice in legislation." This declares that an insuperable obstacle to self-government in the United States exists in the power which has been gradually assumed by the Supreme Courts of the Federal and State Governments to declare legislation null and void upon the ground that, in the court's opinion, it is unconstitutional.

The statement that this power has been gradually assumed by the courts historically is untrue. The right and duty of the judiciary to pass upon the constitutionality of legislation has been continuously asserted and enforced from the foundation of the government to the present day. It is the one function which distinguishes American self-government from the pretenses of democracy in many other so-called republics. Written constitutions are adopted for the protection of the individual citizen and of minorities against the tyranny of majorities. When the Declaration of Independence declared that *all* men are born with certain inalienable rights, among which are life, liberty and the pursuit of happiness, and that to secure these rights governments are instituted among men, it adopted a

philosophy which required government to be organized so as to protect every citizen in the enjoyment of those inalienable rights. Hence, written constitutions were established under which legislatures and executives are restricted in their action. To secure against the overriding of these limitations of power, jurisdiction was conferred upon courts to act as referee or umpire in determining when legislative action violates the rights secured in the Constitution to *all* the people, in the interests of *some* of the people. It is always open to the people to change their constitution, if they desire, in the method prescribed for its amendment. The suggestion in the Federation's program that "the people acting directly or through congress or state legislatures should have final authority in determining which law shall be enacted," strikes at the fundamental principle of American institutions, and threatens the continued existence of those rights, to secure which the government exists.

In this same program, it is declared that "the very life and perpetuity of free and democratic institutions are dependent upon the freedom of speech, of the press and of assemblage and association"; and it is insisted "that all restrictions of freedom of speech, press, public assembly, association and travel be completely removed, individuals and groups being responsible for their utterances". The rights of free speech, of free press, and of the people freely to assemble and petition for redress of grievances, are among those secured by the Constitution. They cannot exist at all, if they are subject to constant interference by the legislatures and popular referendums. Nor is it true that those rights, even in theory are wholly unrestricted. There is, for example, no right to incite to the overthrow of government, and we are being taught by current events that inflammatory utterances against established government inevitably lead to acts of violence and destruction of life and property, and that prevention in this respect is of more importance than punishment. Punishment cannot fully protect the community in the enjoyment of peaceful, normal and regulated life. In the interests of the peace of the nation, inciters to the overthrow of all civilized order and advocates of the use of the torch and the bomb, must not be allowed to preach their subversive doctrines unchecked, upon the theory that

their arguments will fall upon deaf ears, or that if some unbalanced mind is led to put their teachings into practical application, his punishment will deter others from following his example.

A fallacy also is involved in the unqualified declaration contained in this same program, that "the right to bear arms is a fundamental principle of our government, a principle accepted at all times by free people as essential to the maintenance of their liberties and institutions. We demand that this right shall remain inviolate." Experience has shown that the right to bear arms, like other rights, requires regulation in the interests of the safety and welfare of organized society, and that there can be no vested right in the anarchist to carry under his coat the incendiary bomb or the bludgeon. There is so much that is admirable in the program commented upon, that it is to be regretted that it is marred with the advocacy of principles which are fundamentally incompatible with those which constitute the foundation-stones of American institutions.

#### *A farmers' program of reconstruction*

The agricultural interests of America also have formulated their ideas of future progress. A farmers' National Conference on Reconstruction was held in Washington, D. C., in January last, which was attended by representatives of state grangers, state farmers' unions, the American Society of Equity, the Ancient Order of Gleaners, the National Non-Partisan League and a number of smaller organizations, at which a program for economic reconstruction in American and for international reconstruction was unanimously adopted. As was natural, it laid stress upon methods of securing employment in agriculture for returning soldiers and sailors, and adopted a declaration of certain principles which it regarded essential to the successful prevention of future war among which are the following:

- (1) Recognition of the common interests of the working people of all countries regardless of the form of political government under which they live.
- (2) International control over international trade and international investment.
- (3) Freedom of production and uniform and equal free exchange between all peoples.

(7) Complete and direct control by the peoples of every established country of their own government.

(8) Unrestricted passage for legitimate commerce over land and sea.

(9) War must be made democratic by the agreement of all nations to declare war only by the majority vote of all, men and women.

It also declared for

living wages to those engaged in industry, commerce, trade, mining, railroading, and in all other legitimate activities as of direct benefit to farmers because they increase the purchasing power of those so engaged, and not only increase the efficiency of those workers, but provide the most economic and advantageous market for farm products—a home market.

*Proposed international labor bureau and annual Conference*

A consideration of these various recommendations of the organizations of the workers in England, France and America, will afford a better appreciation of the meaning and effect of the provisions contained in the Convention, creating a permanent organization for the promotion of the international regulation of labor conditions, which has been adopted as a part of the treaty of peace by the Paris Conference.

Article XXIII of the amended peace Covenant declares:

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the members of the League (a) will endeavor to secure and maintain fair and humane conditions of labor for men, women and children both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary industrial organizations...

It was with such an end in view, that the Peace Conference, on January 31st, appointed a commission

to inquire into the conditions of employment from the international aspect, and to consider the international means necessary to secure common action on matters affecting conditions of employment, and to recommend the form of a permanent agency to continue such inquiry and consideration in co-operation with and under the direction of the League of Nations.

Organizations of labor in different countries have come more and more to realize that high wages and opportunity for advancement in one country serve to stimulate immigration from countries where conditions are less favorable. The great influx of cheap labor from Europe into America in the past operated to keep down wages and to retard improvement in conditions under which men, women and children were employed in industry in the New World.

One of the ends sought to be accomplished by practically all of the programs referred to, is the removal of the disparity of conditions of labor in different countries, with the resultant tendency to immigration. The removal from the European countries of restraints upon individual freedom and the furnishing of better opportunities for advancement than heretofore have existed may, and doubtless will, check the tendency to leave home and country and seek improved conditions in the American states. The effect of this diminution or cessation of immigration upon the future growth and development of America is a matter for serious speculation. It would be a sad paradox if the effort to bring about an assimilation in each country of conditions affecting labor in other countries should result in such interference with opportunity for individual advancement and the expression of individual capacity in this country, as, not only to remove the great incentives to peoples of other lands to seek their fortunes here, but to check the development of American civilization and the enjoyment of opportunities for advancement and improved condition, which in the past have resulted in the wide diffusion of wealth and the establishment of a higher general standard of living than ever attained in any other country or age.

The Convention for the permanent International Labor Conference recites the conditions which prevent the existence of social justice in the world to-day, in the following language:

Conditions of labor exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of these conditions is urgently required; as for example by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labor supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organization of technical and vocational education, and other measures.

The international body which is created by the Convention primarily is to serve the useful purpose of facilitating the inter-

change of information and opinions between the representatives of different nations on all subjects relating to the international adjustment of conditions of industrial life and labor. It also is directed to discuss and submit for the consideration of the different powers represented by its membership, propositions for legislation or for treaties respecting the subjects considered; and where these propositions shall have been adopted and shall have found expression in law or treaty, to follow up their application and to call attention to any failure to enforce their provisions, bringing it, if necessary, before appropriate courts of international justice and directing against any nation, where it seems proper, measures of an economic character prepared to compel compliance with the laws or treaty obligations, which it has freely and of its own accord adopted.

A concrete idea of some of the objects aimed at, is furnished by the program adopted for consideration at the first meeting of the conference appointed to be held in Washington, D. C., in October next. This program involves the consideration of the following subjects:

1. Application of the principle of an eight-hour day or forty-eight-hour week.
2. Question of preventing or providing against unemployment.
3. Women's employment.
  - a. Before and after childbirth, including question of maternity benefit.
  - b. During the night.
  - c. In unhealthy processes.
4. Employment of children.
  - a. Minimum age of employment.
  - b. During the night.
  - c. Unhealthy processes.
5. Extensions and application of the international conventions adopted at Berne in 1906 on the prohibition of night work for women employed in industry and the employment or use of white phosphorus in the manufacture of matches.

A further resolution which was adopted by the International Labor Commission will hardly be received widely with favor in this country. It recommends that as soon as possible an agreement shall be arrived at between the high contracting parties with a view to endowing the International Labor Conference, under the auspices of the League of Nations, "with power to take under conditions to be determined, resolutions possessing the force of international law". There is a very general opposition in the United States to the creation of any

supersovereignty over our government in the formation of any international body, and in the proposed Covenant of the League of Nations, reliance is most wisely, it seems to me, placed rather upon the effect of discussion, interchange of opinion and suggestion, than upon coercion, to accomplish the beneficent ends in view. The method would better be adopted respecting the Labor Convention, which is embodied in the Constitution of the League of Nations. The agreed object of the International Labor Convention is, through discussion and exchange of information, to awaken a more just recognition among all the nations, of the rights and the duties of their communities with respect to men and women who labor with their hands for their daily bread. Far better results can be accomplished through the quickening of international conscience in this regard, than by attempting to impose rules over sovereign peoples by the resolutions of international conferences. There must and will be differences in the attitude of various nations toward the ends and objects aimed at by these organizations. Each government must determine for itself how far it will adopt the recommendations of the International Conference.

With the ultimate purpose of achieving a better share in the proceeds of industry for the workers than they have had in the past, few will be found to disagree. But it is perhaps timely to observe that a great commonwealth is made up of many elements, and that wage earners and farmers, vast as is their number, just their claims, and important their consideration, do not compose the whole, or even a majority of all the inhabitants of the land, and an attitude of defiance of organized government is not the best method through which to attain a maximum degree of satisfaction with government by any one particular class.

#### *Fallacies and Conclusions*

Three fallacies seem to be involved in most of the programs thus far presented: (1) That better conditions for the commonwealth than those which prevail, can be secured by entrusting government with the ownership and conduct of important industries; (2) that the policy of giving control to organizations of workers over the means of conduct of industry can result in the permanent betterment of such industry;

and (3) that the grant of larger wages to the workers will reduce the cost of living and increase the general prosperity.

In England, the workers seem to have been more impressed with the efficient conduct of industry during the war through the close cooperation of employers, workers and the government, than with the abnormal and exceptional conduct of such industry and the improbability of its effective continuance in time of peace. After all, competition and the incentive of profit must and will remain the most efficient causes of industrial and commercial prosperity. Great as is the value of brawn, the mind of man, in the future as in the past, will continue to be indispensable to the successful conduct of all great enterprises. Governmental ownership and operation, which exclude both competition and profit, must gradually result in inefficiency and stagnation. No candid student of the past will advocate a return to the old system of unrestricted control of workers by employers, which resulted in great injustice and in the abnormal concentration of the proceeds of industry. The prosperity of the country rests upon securing a just balance between the right recognition of the share of the worker in the profits of his industry and the necessarily greater profit to be allowed to the planning and directing brain.

A very wise provision was inserted, I believe through the influence of the President of the American Federation of Labor, in the International Labor Convention, to the effect that in no case shall any nation be asked or required, as the result of the adoption of any recommendation or draft convention by the Conference, to diminish the protection afforded by its existing legislation to the workers concerned. This will still leave America preëminent in the provisions made by the laws of state and nation alike for the proper protection of those who labor with their hands. A close comparison of the conditions prevailing in different countries, made under the auspices of the International Labor Bureau and emphasized in the conferences of the Convention, will, it is to be hoped, demonstrate to the workers of this country the great benefits which its institutions have secured to them, and to employers, the advantages which they have enjoyed and will continue to enjoy if their dealings with the men who labor for them shall be characterized by a constantly increasing sense of justice and a willingness to grant fair play.